

SPECIAL CIVIL APPLICATION No 2685 of 1999

Hon'ble MR.JUSTICE J.N.BHATT and  
MR.JUSTICE H.K.RATHOD

SAUDAGAR EXPORTS                      THROUGH PROPRIETOR

UNION OF INDIA

MR KB TRIVEDI FOR M/S TRIVEDI & GUPTA for Petitioner  
MR MUKESH R SHAH for Respondents.

Date of decision: 27/10/1999

In this petition under Article 226 of the Constitution of India, the petitioner has sought direction permitting the petitioner firm to re-export goods being 322 MTs of Poppy Seeds purchased by the petitioner firm elaborately stated in para 3(ii) of the petition.

Learned counsel Mr Trivedi has stated at the Bar that the permission for re-export of goods in question may be granted on the following terms and conditions:

1. The amount of foreign remittance (US dollars) shall be brought in the country first and proof thereof from RBI will be furnished to respondent No.2 and re-export will be made thereupon.
2. The petitioner shall execute an undertaking-bond in favour of respondent No.2.
3. The petitioner shall furnish bank guarantee in the sum of Rs.50 lacs (fifty lacs) for a period of one year and thereafter, if necessary, the same shall be extended.

In order to see that the proceedings are expeditiously concluded, the Department will take urgent action and the petitioner shall render full cooperation.

In view of the aforesaid consensual statement and the conditions as stated above being complied with, the respondent No.2 shall permit the petitioner to re-export the goods in question without any loss of time upon compliance of the aforesaid conditions.

In view of the aforesaid statements and the directions, no further orders are necessary at this stage. Accordingly, the petition stands disposed of. Rule discharged.

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(vjn)